

**GOVERNMENT OF ANDHRA PRADESH**  
**ABSTRACT**

Public Servants - Irrigation & CAD Department – Allegations of acquisition of assets disproportionate to the known sources of his legal income against Sri K.Dastagiraiah, Deputy Executive Engineer (Retd.), formerly worked in the Office of Telugu Ganga Project, Sub-Division No.3, Velgodu, Nandyal, Kurnool District - Found guilty of the charges and convicted by the Orders of Hon'ble Court of First Additional Special Judge for SPE & ACB Cases-cum-V Additional Chief Judge, City Civil Court, Hyderabad dated 23-02-2012 in C.C.No.19/2006 – Imposition of punishment of withholding of pension and gratuity in full permanently against the accused officer Sri K.Dastagiraiah, Deputy Executive Engineer (Retd.) – Orders – Issued.

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**IRRIGATION & C.A.D. (IW:SERVICES-VI(1) DEPARTMENT**

**G.O.Ms.No. 39.**

**Dated 26-03-2012.**

**Read the following:-**

1. Automex Message from the Deputy Superintendent of Police, Anti-Corruption Bureau, Kurnool Range, Kurnool, dated 27-03-2003.
2. Govt. Memo.No.38448/Ser.VI(1)/2003-2, dated 27-06-2003 of Irrigation & CAD (Ser.VI(1) Department.
3. From the Engineer-in-Chief (AW), Irrigation & CAD Department, Hyderabad, Proceedings No.Rc/ENC/S3/18623/2003, dated 28-06-2003.
4. From the Director General, Anti-Corruption Bureau, Hyderabad, Letter C.No.71/RCA-KUR/2003, dated 24-06-2005.
5. Govt. Memo.No.E.38448/Ser.VI(1)/2003-14, dated 21-10-2005 of Irrigation & CAD (Ser.VI(1) Department.
6. From the First Additional Special Judge for SPE & ACB Cases-cum-V Additional Chief Judge, City Civil Court, Hyderabad, Judgement dated 23-02-2012 in C.C.No.19/2006.

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**ORDER:**

It has been brought to the notice of Government that a Disproportionate Assets case was registered by the Anti-Corruption Bureau authorities against Sri K.Dastagiraiah, formerly Deputy Executive Engineer, Telugu Ganga Project, Sub-Division No.3, Velgodu, Kurnool District, as he had acquired assets disproportionate to the known sources of his legal income vide reference 1<sup>st</sup> read above.

2. In the reference 2<sup>nd</sup> read above, the Engineer-in-Chief (AW), Irrigation & CAD Department, Hyderabad was requested to place Sri K.Dastagiraiah, Deputy Executive Engineer, Telugu Ganga Project, Sub-Division No.3, Velgodu, Kurnool District under suspension in terms of Government instructions issued in Memo.No.596/Spl.B/2002-6, dated 10-06-2002 of General Administration (Spl.B) Department and send compliance report to Government.

3. Accordingly, in the reference 3<sup>rd</sup> read above, the Engineer-in-Chief (AW), Irrigation & CAD Department, Hyderabad issued orders placing Sri K.Dastagiraiah, Deputy Executive Engineer, Telugu Ganga Project, Sub-Division No.3, Velgodu, Kurnool District under suspension from the date of communication of the order.

4. In the reference 4<sup>th</sup> read above, the Director General, Anti-Corruption Bureau, Hyderabad in his Final Report has recommended to prosecute the accused officer Sri K.Dastagiraiah, Deputy Executive Engineer (Retd.), Telugu Ganga Project, Sub-Division No.3, Velgodu, Kurnool District in a competent Court of Law under Prevention of Corruption Act, 1988 besides initiating departmental action against the accused officer, as he did not obtaining prior permission for purchase of assets.

(P.T.O.)

5. In the reference 5<sup>th</sup> read above, Government have accorded permission to the Director General, Anti-Corruption Bureau, Hyderabad, to prosecute Sri K.Dastagiraiah, Deputy Executive Engineer (Retd.), formerly worked in the Office of Telugu Ganga Project, Sub-Division No.3, Velugodu, Kurnool District in a competent court of law on the allegations of acquisition of assets disproportionate to an extent of Rs.24,71,642=25 to his known sources of income under the Prevention of Corruption Act, 1988.

6. In the reference 6<sup>th</sup> read above, the Hon'ble Court of First Additional Special Judge for SPE & ACB Cases-cum-V Additional Chief Judge, City Civil Court, Hyderabad in its Judgement dated 23-02-2012 in C.C.No.19/2006 held that "For all the aforesaid reasons, the Hon'ble Court hold, that the prosecution has proved the guilt of Accused Officer for the offence punishable under Section 13(2) read with Section 13(1)(e) of Prevention of Corruption Act, 1988 beyond all reasonable doubts. Accordingly this point is answered in favour of prosecution. In the result, Accused Officer is found guilty for the offence punishable under section 13(2) read with section 13(1)(e) of Prevention of Corruption Act, 1988 and accordingly Accused Officer is convicted under section 248(2) Cr.P.C. Accused Officer is questioned about the quantum of sentence to be imposed on him. Accused Officer pleaded mercy. The Hon'ble Court is of the opinion that lenient view cannot be taken against Accused Officer, since the offence of disproportionate assets is a major issue in the society. Further it is not at all a fit case to be proceeded either under section 360 Cr.P.C., or under the provisions of Probation of Offenders Act. Section 13(2) of read with section 13(1)(e) of Prevention of Corruption Act, 1988 prescribed the minimum imprisonment of one year and it can be extended upto seven years with fine. Accused Officer is sentenced to undergo Rigorous imprisonment for a period of Two Years and also sentenced to pay a fine of Rs.10,000/- (Rupees Ten thousand only) in default of payment of fine amount, to suffer simple imprisonment for a period of one month for the offence punishable under section 13(2) read with section 13(1)(e) of the Act. The period of detention of Accused Officer shall be set off under section 428 Cr.P.C., from the imprisonment. As regards to the disproportionate assets found worth Rs.15,24,545=00 (Rupees Fifteen lakhs twenty four thousand five hundred and forty five only), Accused Officer is directed to deposit the said amount within 3(three) months from the date of the Judgement, and if he fails to do so, the prosecution would be at liberty to recover the said amount by sale of all the assets of Accused Officer. After realization of Rs.15,24,545=00 it shall be confiscated to State.

7. Government have examined the entire matter carefully and decided to impose the punishment of withholding of pension and gratuity in full permanently against the accused officer Sri K.Dastagiraiah, Deputy Executive Engineer (Retd.), formerly worked in the Office of Telugu Ganga Project, Sub-Division No.3, Velgodu, Nandyal, Kurnool District under Rule 9 of A.P.Revised Pension Rules, 1980, as the said accused officer was found guilty of the offences punishable under Section 13(2) read with Section 13(1)(e) of Prevention of Corruption Act, 1988 and convicted by the orders of Hon'ble Court of First Additional Special Judge for SPE & ACB Cases-cum-V Additional Chief Judge, City Civil Court, Hyderabad dated 23-02-2012 in C.C.No.19/2006.

8. Accordingly, it is hereby ordered to impose the punishment of withholding of pension and gratuity in full permanently against the accused officer Sri K.Dastagiraiah, Deputy Executive Engineer (Retd.), formerly worked in the Office of Telugu Ganga Project, Sub-Division No.3, Velgodu, Nandyal, Kurnool District under Rule 9 of A.P.Revised Pension Rules, 1980, as the said accused officer was found guilty of the offences punishable under Section 13(2) read with Section 13(1)(e) of Prevention of Corruption Act, 1988 and convicted by the orders of Hon'ble Court of First Additional Special Judge for SPE & ACB Cases-cum-V Additional Chief Judge, City Civil Court, Hyderabad dated 23-02-2012 in C.C.No.19/2006.

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9. The Engineer-in-Chief (AW), Hyderabad shall take necessary further action in the matter and acknowledge the receipt of the order.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

**SHAIENDRA KUMAR JOSHI  
PRINCIPAL SECRETARY TO GOVERNMENT**

To

Sri K.Dastagiraiah, Deputy Executive Engineer (Retd.),  
formerly worked in the Office of Telugu Ganga Project, Sub-Division No.3,  
Velgodu, Nandyal, Kurnool District thro' the Engineer-in –Chief (AW),  
Irrigation & CAD Department, Hyderabad

The Engineer-in-Chief (AW), Irrigation & CAD Department, Hyderabad.

Copy to:

The Accountant General (A&E), A.P., Hyderabad.

The Director General, Anti-Corruption Bureau, Hyderabad.

The Secretary to Vigilance Commission,

A.P.Vigilnace Commission, Hyderabad.

SF/SCs.

//FORWARDED::BY ORDER//

**SECTION OFFICER**